

Since passage of the Telecommunications Act of 1996 and the "deregulation" of cable television, consumers have seen their rates jump an average of 59 percent -- with some areas experiencing even more dramatic increases.

The cost of cable modem service remains out of reach for many households, holding constant for years and selectively underserving rural and low-income Americans. American people are watching the digital divide widen even as the need for access to high-speed networks increases.

The FCC, through this Notice of Proposed Rulemaking, recognizes new video competition is entering the market, as phone companies (like AT&T and Verizon) begin to roll out television service.

The Commission asks if telephone companies are slowed or blocked in their expansion by the process of negotiating franchises - the agreements that companies seeking to provide video services sign with local governments to set the terms for building cable television systems.

These franchise agreements guarantee that local governments control rights-of-way and obtain fair rents from companies that dig them up to lay cable. They guarantee universal build-out of the technology and its advantages to every household in the community, not just affluent neighborhoods.

They guarantee public access television (and funding to provide it) as well as other services like low-cost broadband for our schools and libraries.

Though the franchising process has not been perfect, it has been a critical safeguard to protect the interests of consumers and citizens in our local communities. Now that the phone companies are building television systems, local communities are hungry for new competition to drive down costs, increase options, provide access to local content and bring us closer to bridging the digital divide.

Does the franchising process need reform? Perhaps. However, the most important issue is not how to ensure the process is changed to suit the interests of telephone companies. Instead, the most important issue is how to ensure, protect and enrich the rights and services of local communities.

We should start with these desired outcomes and work backwards to see if the

process to deliver them can be improved. Local governments undoubtedly will, and must, play a key role in any future franchising process.

As new franchising rules are considered, a number of market realities must be taken into account. There is a distinct lack of independent programming, particularly local independent programming, on cable systems as a result of vertical and horizontal consolidation among the largest media companies and cable providers.

The public is required to buy channels we don't desire or need because cable operators bundle them together. The quality of customer service often reflects the fact that cable television is not a competitive market. The mere presence of satellite providers does not drive down rates, nor present an affordable alternative for broadband access.

In many communities, the only truly independent sources of local news, information and culture come from the public channels produced at community media centers. They allow citizens to see local government in action; often they provide information about local events for the public, including residents.

Some towns have been able to negotiate funding to enhance and expand these resources. Others have obtained wired schools and libraries, resources for e-medicine, government efficiency programs and other educational initiatives. All use their negotiating power to ensure the entire community is served.

The risk of supplying "one size fits all" franchises to new providers is the elimination of these and other valuable services that fulfill important public policy aims. There is surely a need for new providers of broadband and video content to enter existing markets, be they private or public.

However, no matter the level at which 'franchises' to new providers are granted - be it local, state, or national - local communities cannot be cut out of the process. They must be allowed to lend their voices to the manner in which new video and broadband systems will be implemented, and features that will be available to meet future needs.

Regarding the important FCC proceeding that is underway, I request our community access media continue to be available to us. I do not want any

changes to impact our ability to use this in the community.

Too many people in the industry forget the public actually owns the rights for this medium. If things were handled well by our federal, state, and local officials, we would not have to pay high cable fees. Candidates for public offices would not have to pay exorbitant fees to let the public hear their messages during elections.

The community wants to continue to exercise its rights to have this community access available. Our rights are more important than those of agencies like cable access groups and producers; they simply want to make money from charging the public.

Keep Community Media Local!